

**TOWN OF UNDERHILL  
SELECTBOARD MEETING MINUTES  
6:00 p.m., Thursday, January 16, 2014**

**Selectboard:** Brad Holden, Seth Friedman and David Rogers

**Town Staff:** Brian Bigelow, Town Administrator

**Public:** Ruth Miller (MMCTV), Pam Parshall, Rod Bruner, Cindy Bruner, Dan Steinbauer, David Villeneuve, Guy Kennedy, Corey Draper and Cliff Peterson

**6:00 p.m.** Meeting called to order.

**6:03 p.m. Public Comment** – Range Road residents Pam Parshall, Dan Steinbauer, Rod and Cindy Bruner voiced concerns about the proposed development on 68 Range Road. General concerns were future development, steep grades, the current amount of ground and stormwater. The Bruners are concerned about their water supply (shallow well). Pam Parshall is concerned about stormwater impacts. David Villeneuve spoke in support of Chris Hunt who has a Purchase and Sales Agreement to purchase the lot and relayed that his conversations with Hunt were different than the abutters in that his understanding was that there would only be one house.

At the conclusion of the Public Comment Period interested parties were encouraged to remain until the Access Permit application came up on the agenda.

**6:15 p.m. Corey Draper.**

Corey Draper and Guy Kennedy appeared and discussed the December 19, 2013 accident involving a Town of Underhill highway truck and Draper's vehicle with the Board. Corey Draper is seeking relief from the determination by the Town's insurance carrier (VLCT PACIF) that the Town is not liable due to the vehicle being parked out of compliance with the municipal winter parking ban when hit. Seth Friedman stressed that while sympathetic his initial reaction is to follow the advice and expertise of the carrier. Corey Draper and Guy Kennedy understood the rational but feel there is a moral question involved by not choosing responsibility over a technical 'loophole'. The Board reviewed submittals from Draper and requested that he provide photographs of the vehicle to the Town Administrator.

**6:30 p.m. New Business.**

In accordance with 24 VSA §4448, Seth Friedman moved to appoint Sarah McShane for a three year term as Administrative Officer. David Rogers seconded and the motion passed 3-0.

Access Permit application of Andrew Grab (IS449) with drawings prepared by Summit Engineering reviewed by Board. The site is being reviewed by the Development Review Board as part of a 2-lot Subdivision and as such has been reviewed by the Underhill-Jericho Fire Department. Access is proposed across from Existing Hovencamp driveway (IS445). Per Summit drawings, to include driveway profile and

existing and proposed contours the maximum grade is 9.5%. Engineer and Road Foreman each individually pointed out need to remove trees and cut into the bank South of the proposed access point to obtain required sight distance. Culverts will need to be upsized to the Road Policy minimum of 18" in diameter. Access point is flagged; the path of the driveway is easy to follow in the field. Individual board members will visit site before January 30, 2014 Selectboard meeting.

Access Permit application of Richard Villeneuve Trust (RA068) with drawings prepared by O'Leary-Burke reviewed by Board. Revised drawings need to reflect the Range Road location as per the 1942 Warranty Deed of W.P. Smith to Town of Underhill (Vol. 33, Page 387) and include a profile for the driveway with existing and proposed contours. Development Review Board review is not required for this proposal, staff to forward revised drawing to Underhill-Jericho Fire Department for their input. Access is proposed in the location of the existing logging road before diverting from that location to achieve a less steep grade. Culverts will need to be upsized to the Road Policy minimum of 18" in diameter. Access point is not flagged but is marked by the existing logging road access point. The Board is willing to visit the site as individuals before January 30, 2014 Selectboard meeting without requiring flagging at this time.

Annual Mileage certification required to be returned to Vermont Agency of Transportation prior to February 20, 2014, Chair and staff to work on this project.

David Rogers moved to have the Chair sign the Letter of Agreement between the Town of Underhill and NEMRC to include a \$238.81 license fee. Seth Friedman seconded and the motion passed 3-0.

Notice made of late application for funding (\$100) by the Vermont Rural Fire Protection Task Force. The Task Force is taking over the Dry Hydrant Program after closure of the Northern Vermont Resource Conservation and Development Council.

Seth Friedman initiated discussion about Maple Leaf Farm's Tax Exempt status on a portion of their property (ML008X). That status is similar to what is afforded to a clear non profit like Underhill Jericho Fire Department. In the case of Maple Leaf Farm it amounts to an approximately a \$25,000 reduction in property taxes (~70% school taxes, 30% municipal taxes). Discussion ensued over adding an Australian ballot item and if so how to phrase it. Consensus was that non-binding, advisory language was appropriate. Seth Friedman moved to add an Australian ballot item phrased "Shall the voters of the Town revisit the tax exempt status of Maple Leaf Farm?" David Rogers seconded and the motion passed 3-0.

The Board discussed the recent near overflow of Roaring Brook in the area between Dumas Road and Poker Hill Road. The anecdotal evidence is that the area has been most troublesome since the 1998 flooding that washed out the Barrett Lane culvert and left a lot of debris in the channel in that area. The Board's consensus is to retain Mike Weisel to inspect the area. Town Administrator to make contact with Mike Weisel.



**7:10 p.m. Old Business.**

Selectboard reviewed the Budget submittal as prepared by the Town Financial Officer which reflected the recent budget work sessions. The only proposed change is to utilize the Town Garage reserve fund (\$12,901) this year in order to start the engineering prior to July 1, 2014. This would not change the expenditure budget for fiscal year 2015 as the addition to the tax revenue (Line 4) would be offset by the decrease in reserve funds (Line 44).

David Rogers made a resolution to adopt a fiscal year expenditure budget of \$2,412,693, paid for with \$1,825,701 in tax revenue, \$418,272 in non-tax revenue, \$160,000 bank loan and \$8,720 in reserve funds. Seth Freidman seconded and the motion passed 3-0.

The Board took up the proposed amendments to the Underhill Unified Land Use and Development Regulations with Planning Commission member Cliff Peterson. The consensus of the Board was to proceed with the amendments as presented.

David Rogers moved to add language to Article 2.1 of the Unified Land Use and Development Regulations stating: C. The official "Town of Underhill Zoning Map" is Appendix A "Zoning Map" (revision date June, 1985) to the September 1985 Underhill zoning regulations, subject to subsection D below. Seth Friedman seconded and the motion passed 3-0.

David Rogers moved to add language to Article 2.1 of the Unified Land Use and Development Regulations stating: D. Notwithstanding any other provision of these Unified Land Use and Development Regulations, the adjustment to the southern boundary of the Water Conservation District adopted by the Planning Commission on October 24, 1972 as Paragraph III of proposed amendments to the Comprehensive Plan and by the Selectboard on December 27, 1972 shall continue in full force and effect. Seth Friedman seconded and the motion passed 3-0.

Discussion was held about the spring 2014 Town Hall exterior renovations. The Boards consensus was to go forward with the Mike Weisel prepared painting packages and move those along to lead certified contractors who had been recommended and expressed interest in the project. Town Administrator has additional packages available. The deadline for submittal of quotes was determined to be 4:00PM on February 7, 2014.

David Rogers moved to sign the Land Records Computerization contract with ACS/Xerox for a 60 month contract at \$685 per month. Seth Friedman seconded and the motion passed 3-0. The Chair signed the contract for the Town.

The Chair signed the Capital Improvement Program adoption certificate.  
The Chair signed the Application for Eligibility for the Federal Surplus Property Program.

The Board signed a Formal Record of Action for Cash in Lieu of Insurance of 45% for employees who opt out of insurance coverage.

**7:30 p.m. Warrants and Minutes**

Current Warrants reviewed and signed.

Review of 01/02/14 Minutes. Seth Friedman moved to approve the minutes of 01/02/2014. David Rogers seconded and the motion passed 3-0.

Review of 01/08/14 Minutes. Seth Friedman moved to approve the minutes of 01/08/2014. David Rogers seconded and the motion passed 3-0.

**7:36 p.m. Announcements/Schedule**

Announcement made of next regular Selectboard Meeting scheduled for January 30, 2014.

**7:37 p.m. Adjournment.**

David Rogers moved to adjourn. Seth Friedman seconded and the motion passed 3-0.

Submitted by Brian Bigelow, Town Administrator

Read and Approved as submitted/amended

  
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Seth Friedman, Vice Chair

1.30.14  
\_\_\_\_\_  
Date